

THURSDAY, MARCH 3, 2016

FORTY-FIFTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Reverend Oran Creasman, Eastanalee Baptist Church, Etowah, TN.

Representative Forgety led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 86

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Dunlap, Dunn, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Weaver, White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 86

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Womick; personal

Representative Carr; illness

Representative Towns; personal

Representative Farmer; personal

Representative Jones; personal

Representative J. Sexton; illness

Representative Van Huss

Representative M. Hill

Representative Armstrong

PRESENT IN CHAMBER

Rep. Parkinson was announced as present in the Chamber.

Reps. M. Hill, Doss, Van Huss, and Durham were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 176 Rep. Hardaway as prime sponsor.

House Joint Resolution No. 529 Reps. Terry, T. Hill, Ragan, Wirgau, Matlock, Kane, Coley, Dunlap, Goins, M. White, Littleton, M. Hill, Powers, C. Sexton, Johnson, Holt, DeBerry, Windle and Sparks as prime sponsors.

House Joint Resolution No. 609 Rep. Gilmore as prime sponsor.

House Joint Resolution No. 613 Reps. Casada and Durham as prime sponsors.

House Joint Resolution No. 618 Rep. Pitts as prime sponsor.

House Joint Resolution No. 620 Reps. Clemmons and Gilmore as prime sponsors.

House Bill No. 155 Reps. Lollar, Holt and Sargent as prime sponsors.

House Bill No. 700 Rep. Carr as prime sponsor.

House Bill No. 1427 Rep. Lamberth as prime sponsor.

House Bill No. 1438 Reps. Terry, Pody, Travis, Sparks, Gravitt, McManus, Wirgau, Matheny, Hazlewood, Dunlap, Shaw, Cooper, Clemmons, Keisling, Turner, Coley, Love, Lynn, DeBerry, Durham and Kumar as prime sponsors.

House Bill No. 1443 Reps. Hardaway and Turner as prime sponsors.

House Bill No. 1478 Rep. Rogers as prime sponsor.

House Bill No. 1485 Rep. Cooper as prime sponsor.

House Bill No. 1503 Reps. McManus and Rogers as prime sponsors.

House Bill No. 1521 Reps. Windle and Sparks as prime sponsors.

House Bill No. 1537 Reps. J. Sexton, Lollar, Windle, Terry, Smith, Howell, Rogers, Littleton, Hazlewood, Ramsey, Calfee, Travis, Ragan, Reedy, Marsh, Hardaway, Sargent, Shaw, Powell, Eldridge, Kumar, Powers, Goins, Lynn, DeBerry, Stewart, Hicks, Mitchell, McManus, Zachary, Durham, Alexander, Gravitt, Sparks, Pody, Weaver, Clemmons and Holsclaw as prime sponsors.

House Bill No. 1559 Rep. Pody as prime sponsor.

House Bill No. 1642 Reps. Butt, Windle, Byrd, Hazlewood, Holsclaw, Johnson, DeBerry, M. White, Powers, K. Brooks and H. Brooks as prime sponsors.

House Bill No. 1726 Rep. Hazlewood as prime sponsor.

House Bill No. 1900 Rep. Powers as prime sponsor.

House Bill No. 1907 Reps. Weaver, Rogers and Lamberth as prime sponsors.

House Bill No. 2002 Rep. Lamberth as prime sponsor.

House Bill No. 2038 Rep. Pody as prime sponsor.

House Bill No. 2088 Rep. Lamberth as prime sponsor.

House Bill No. 2148 Reps. Holt, Hardaway, Weaver, K. Brooks, Moody, Parkinson, Stewart and Daniel as prime sponsors.

House Bill No. 2197 Reps. Windle, Hardaway and Turner as prime sponsors.

House Bill No. 2199 Rep. Lamberth as prime sponsor.

House Bill No. 2229 Rep. Powers as prime sponsor.

House Bill No. 2240 Rep. Jernigan as prime sponsor.

House Bill No. 2300 Rep. Beck as First prime sponsor.

House Bill No. 2303 Rep. McManus as prime sponsor.

House Bill No. 2570 Rep. Powers as prime sponsor.

House Bill No. 2574 Rep. M. White as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. Swann was removed as sponsor of **House Bill No. 1717**.

On Motion, Rep. Hulsey was removed as sponsor of **House Bill No. 2229**.

On Motion, Rep. Windle was removed as sponsor of **House Bill No. 2300**.

MESSAGE FROM THE SENATE

March 1, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 508 and 509; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

March 1, 2016

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 508 and 509.

JOE MCCORD, Chief Clerk

ENGROSSED BILLS

March 1, 2016

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 1447, 1529, 1545, 1565, 1677, 1690, 1691, 1750, 1755, 1903, 1905, 1918, 1944, 1946, 2052, 2170, 2305, 2494, 2572, 2593, 2622 and 2626; also House Joint Resolutions Nos. 464, 485, 486, 487, 488, 489, 490, 511, 530, 602, 603, 605, 606, 607, 608 and 617.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

March 2, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 165, 166, 167, 168, 169, 170, 171, 172, 173, 174 and 177; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED

March 2, 2016

The Speaker announced that she had signed the following: House Resolutions Nos. 165, 166, 167, 168, 169, 170, 171, 172, 173, 174 and 177.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

March 2, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 248, 471, 472, 473, 474, 475, 588, 592, 593, 594, 595, 597, 598 and 599; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

March 2, 2016

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 248, 471, 472, 473, 474, 475, 588, 592, 593, 594, 595, 597, 598 and 599.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

March 2, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1467, 1474, 1489, 1528, 1774 and 2441; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 2, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 550; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 550 -- Memorials, Recognition - Bob McKamey. by *Gardenhire.

MESSAGE FROM THE SENATE

March 2, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 499 and 617; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 2, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 248, 471, 472, 473, 474, 475, 588, 592, 593, 594, 595, 597, 598 and 599; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 2, 2016

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1483; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 2, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1433, 1645, 1699, 1713, 1725, 1764, 2555 and 2574; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

March 2, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 499 and 617; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

March 2, 2016

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 499 and 617.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 2, 2016

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 499 and 617; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

REPORT OF CHIEF ENGROSSING CLERK
March 2, 2016

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1483; and House Joint Resolutions Nos. 248, 471, 472, 473, 474, 475, 499, 588, 592, 593, 594, 595, 597, 598, 599, 604 and 617; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
March 2, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 441; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 441** -- Memorials, Recognition - Tennessee Digital Learning Project. by *Tracy, *Gresham.

MESSAGE FROM THE SENATE
March 2, 2016

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 782, 2129 and 2494; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
March 2, 2016

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 2086, 2089, 2118, 2440, 2504, 2571, 2572 and 2573; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2086 -- Alcoholic Beverages - As introduced, prohibits construction or operation of any licensed manufacturer within 1,000 feet of the state right-of-way of U.S. Highway 441 in Pigeon Forge. - Amends TCA Title 57, Chapter 2 and Title 57, Chapter 3. by *Overbey, *Ketron. (*HB2123 by *Carr)

Senate Bill No. 2089 -- Alcoholic Beverages - As introduced, authorizes the City of Gatlinburg to adopt an ordinance imposing a minimum distance, not to exceed 1,000 feet, between distilleries manufacturing distilled spirits. - Amends TCA Section 57-2-103 and Section 57-3-202. by *Overbey, *Ketron. (*HB1996 by *Carr)

Senate Bill No. 2118 -- Education - As introduced, requires referees or officiates of interscholastic athletic events to submit to a criminal background investigation and provide a fingerprint sample. - Amends TCA Title 49, Chapter 5, Part 4. by *Tracy. (*HB2260 by *Forgety, *Hardaway)

Senate Bill No. 2440 -- State Employees - As introduced, prohibits a state employer from inquiring about an applicant's criminal history on an initial application form for employment under certain circumstances. - Amends TCA Title 8, Chapter 50, Part 1. by *Kyle. (*HB2442 by *Gilmore)

Senate Bill No. 2504 -- Disabled Persons - As introduced, authorizes use of individual education account funds for contributions to an achieving a better life experience (ABLE) account for the benefit of a participating student; removes requirement that eligibility for ABLE program be limited to state residents and residents of contracting states. - Amends TCA Title 49, Chapter 10, Part 14 and Title 71, Chapter 4, Part 8. by *Gresham. (*HB2592 by *Moody)

Senate Bill No. 2571 -- Courts, Juvenile - As introduced, makes various changes to the procedure for appeals from juvenile court, including stating the requirements for an interlocutory appeal of order granting or denying motion to suppress evidence in a transfer hearing. - Amends TCA Section 37-1-159. by *Norris, *Yarbro. (*HB1812 by *Lamberth)

Senate Bill No. 2572 -- Courts, Juvenile - As introduced, clarifies and amends various provisions regarding juvenile cases heard by magistrates; extends from five days to 10 days the period within which an appeal of the magistrate's order must be filed. - Amends TCA Section 36-1-102 and Section 37-1-107. by *Norris. (*HB1889 by *DeBerry)

Senate Bill No. 2573 -- Courts, Juvenile - As introduced, amends the juvenile court procedure to issue a summons in a proceeding. - Amends TCA Title 37, Chapter 1. by *Norris. (*HB1890 by *DeBerry)

**SIGNED
March 2, 2016**

The Speaker announced that she had signed the following: Senate Bills Nos. 1433, 1645, 1699, 1713, 1725, 1764, 2555 and 2574.

JOE MCCORD, Chief Clerk

**MESSAGE FROM THE GOVERNOR
March 2, 2016**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 248, 471, 472, 473, 474, 475, 499, 588, 592, 593, 594, 595, 597, 598; 599, 604 and 617 with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**ENROLLED BILLS
March 2, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 2129; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 612** -- General Assembly, Confirmation of Appointment - Billie Jeanette Cuervo, education standards recommendation committee for science. by *Carter.

House Education Instruction & Programs Committee

***House Joint Resolution No. 619** -- General Assembly, Confirmation of Appointment - Katherine Petko, education standards recommendation committee for social studies. by *Zachary.

House Education Instruction & Programs Committee

***House Joint Resolution No. 622** -- General Assembly, Confirmation of Appointment - Kattie Nash, education standards recommendation committee for science. by *Williams.

House Education Instruction & Programs Committee

***House Joint Resolution No. 623** -- General Assembly, Confirmation of Appointment - Sally Pardue, education standards recommendation committee for science. by *Williams.

House Education Instruction & Programs Committee

***House Joint Resolution No. 624** -- General Assembly, Confirmation of Appointment - Jason Roach, education standards recommendation committee for social studies. by *Hicks.

House Education Instruction & Programs Committee

***House Joint Resolution No. 625** -- General Assembly, Confirmation of Appointment - David Barrett, education standards recommendation committee for social studies. by *Moody.

House Education Instruction & Programs Committee

***House Joint Resolution No. 626** -- General Assembly, Confirmation of Appointment - LaToya Pugh, education standards recommendation committee for science. by *Lollar.

House Education Instruction & Programs Committee

***House Joint Resolution No. 630** -- General Assembly, Confirmation of Appointment - Todd Wigginton, education standards recommendation committee for social studies. by *Love.

House Education Instruction & Programs Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for March 7, 2016:

House Resolution No. 178 -- Memorials, Recognition - Thanks Senator Lamar Alexander and Senator Bob Corker for their position to not move forward on a nomination to the Supreme Court by the current administration. by *Holt, *Faison, *Smith, *Sanderson, *Butt, *Pody, *Reedy, *Moody, *Terry, *Byrd, *Williams, *Matlock, *Daniel, *Jenkins, *Weaver, *Rogers, *Littleton, *Wirgau, *Eldridge, *Halford, *Kane, *Kumar, *White M, *Hulsey, *Howell, *Brooks H, *Alexander, *Powers, *Holsclaw, *Lamberth, *Lollar, *Lynn, *Hill T, *Keisling, *Zachary, *McCormick, *Casada, *Goins, *Matheny, *Sparks, *VanHuss, *Hill M, *Coley, *Marsh, *Sexton C, *Travis, *Doss, *Carter, *Dunn, *Spivey, *McManus, *Durham, *Johnson, *Todd.

House Joint Resolution No. 627 -- Memorials, Retirement - Ken Howell. by *Pody.

House Joint Resolution No. 628 -- Memorials, Professional Achievement - Coleman Walker. by *Pody.

House Joint Resolution No. 629 -- Memorials, Recognition - Doug Roth, Jackson's Man of the Year. by *Eldridge.

House Joint Resolution No. 631 -- Memorials, Recognition - Hopewell Presbyterian Church, 200th anniversary. by *Terry.

House Joint Resolution No. 632 -- Memorials, Retirement - Chief Deputy Larry Bowman. by *Pody.

House Joint Resolution No. 633 -- Memorials, Personal Occasion - Helen Elizabeth Wilburn Shipley, 95th birthday. by *Matlock, *Calfee.

House Joint Resolution No. 634 -- Memorials, Personal Achievement - Cade Leach, Eagle Scout. by *Matlock, *Calfee.

House Joint Resolution No. 635 -- Memorials, Recognition - The Links Days on Capitol Hill. by *Akbari, *Gilmore, *Camper, *Cooper.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution listed was noted as being placed on the Consent Calendar for March 7, 2016:

***Senate Joint Resolution No. 441** -- Memorials, Recognition - Tennessee Digital Learning Project. by *Tracy, *Gresham.

RESOLUTIONS LYING OVER

On motion, the resolutions listed were referred to the appropriate Committee:

***Senate Joint Resolution No. 391** -- Memorials, Congress - Urges the President, Congress, and the Secretary of Defense to review and revise law and policy regarding the carrying of firearms by military service members on military installations.. by *Bell, *Hensley, *Bowling, *Watson, *Bailey, *Southerland.

House State Government Committee

***Senate Joint Resolution No. 394** -- General Assembly, Statement of Intent or Position - Expresses support for law enforcement.. by *Tracy, *Yarbro, *Kelsey, *Overbey, *Southerland, *Yager.

House State Government Committee

***Senate Joint Resolution No. 466** -- Naming and Designating - "Star Spangled Banner Day," September 14, 2016. by *Johnson, *Massey, *Yager.

House State Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2642 -- Lynnvile - As introduced, subject to local approval, authorizes the compensation of the mayor and aldermen to be established by ordinance; requires a person to be a resident of the town for two years prior to an election, instead of six months, to be eligible to serve as mayor or alderman. - Amends Chapter 289 of the Private Acts of 1965, as amended by Chapter 135 of the Private Acts of 1975, Chapter 44 of the Private Acts of 1987, Chapter 130 of the Private Acts of 2004, and any other acts amendatory thereto. by *Doss.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1447** -- Statutes of Limitations and Repose - As introduced, extends the statute of limitations for child abuse, child neglect or endangerment, aggravated child abuse, and aggravated child neglect or endangerment to five years after the child reaches 18 years of age. - Amends TCA Title 40, Chapter 2, Part 1. by *Green, *Norris. (HB1645 by *Goins)

***Senate Bill No. 1450** -- Taxes, Hotel Motel - As introduced, authorizes local collecting officials of hotel taxes to publish the names of delinquent taxpayers and the amounts owed; clarifies that the present law that makes state tax records confidential does not apply to local hotel tax records. - Amends TCA Title 7; Title 10, Chapter 7, Part 5 and Title 67. by *McNally, *Massey. (HB1465 by *Zachary)

***Senate Bill No. 1464** -- Privacy, Confidentiality - As introduced, permits the disclosure of a decedent's mental health records to an authorized post-mortem official if necessary for the preparation of a post-mortem examination report pertaining to a case under investigation and a court order or judicial subpoena authorizes the official to obtain the records. - Amends TCA Title 33, Chapter 3, Part 1 and Title 38, Chapter 7, Part 1. by *Green. (HB1625 by *Reedy)

***Senate Bill No. 1503** -- Sunset Laws - As introduced, extends the board of examiners for architects and engineers four years to June 30, 2020; establishes minimum attendance requirement for board members and removal of members who do not meet the requirement. - Amends TCA Title 4, Chapter 29, Part 2; Title 4, Chapter 3, Part 13; Section 49-17-103 and Title 62, Chapter 2. by *Bell. (HB1615 by *Faison, *Ragan)

***Senate Bill No. 1507** -- Sunset Laws - As introduced, extends the board of pharmacy two years to June 30, 2018; requires the board to appear before the government operations joint evaluation committee on education, health and general welfare no later than November 18, 2016, to provide an update on the board's progress in addressing the findings set forth in the October 2015 performance audit report issued by the division of state audit. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10, Part 3. by *Bell. (HB1611 by *Faison, *Ragan)

***Senate Bill No. 1607** -- Election Laws - As introduced, exempts individuals who use personal funds to pay for certain political communications from making certain disclosures on the communications. - Amends TCA Title 2, Chapter 10 and Title 2, Chapter 19. by *Niceley. (HB2042 by *Farmer)

***Senate Bill No. 1625** -- Education, Higher - As introduced, provides tuition and fee waivers to full-time state employees for up to four courses per academic year provided the courses do not coincide. - Amends TCA Section 8-50-114. by *Bailey, *Massey. (HB1699 by *Pitts)

Senate Bill No. 1627 -- Nuclear Materials, Transportation and Safety - As introduced, clarifies that deadly force may be used by nuclear security officers at nuclear power reactor facilities and not just category I nuclear facilities. - Amends TCA Section 39-11-611. by *Yager. (*HB1563 by *Travis)

***Senate Bill No. 1740** -- Health Care - As introduced, authorizes a qualified physician assistant to evaluate and provide care to a youth athlete who suffered, or is suspected to have suffered, a concussion or head injury during the course of a school youth athletic activity. - Amends TCA Section 68-55-501. by *Dickerson. (HB2179 by *Hill T)

***Senate Bill No. 1752** -- Special License Plates - As introduced, authorizes issuance of Combat Action new specialty earmarked license plates. - Amends TCA Title 55, Chapter 4. by *Green, *Bailey, *Crowe, *Gresham, *Norris. (HB1799 by *Rogers)

Senate Bill No. 1758 -- Workers Compensation - As introduced, requires the administrator of the bureau of workers' compensation to assess a civil penalty against any workers' compensation payor who violates certain disclosure and payment requirements related to rental and assignment of PPO network rights. - Amends TCA Title 50, Chapter 6. by *Green. (*HB1720 by *White M)

***Senate Bill No. 1765** -- Drugs, Prescription - As introduced, supersedes rules of the board of medical examiners to permit the prescription, order, sale, or other distribution of the drug lisdexamfetamine dimesylate for any currently accepted medical use in the United States. - Amends TCA Title 63, Chapter 6. by *Massey. (HB1856 by *Terry, *Armstrong, *Matheny, *Littleton)

***Senate Bill No. 1766** -- Alcoholic Beverages - As introduced, allows Holston Hills Country Club in Knox County to serve and sell alcoholic beverages for consumption on premises. - Amends TCA Title 57, Chapter 4, Part 1. by *Massey. (HB2520 by *Armstrong)

Senate Bill No. 1784 -- Alcoholic Beverages - As introduced, allows licensed wineries and farm wine producers to label and advertise wine made from apples as cider, apple cider, or hard cider. - Amends TCA Section 57-3-207. by *Overbey. (*HB1786 by *Carr)

Senate Bill No. 1814 -- Medical Occupations - As introduced, revises the educational requirements for licensure as a clinical pastoral therapist; authorizes issuance of temporary licenses to clinical pastoral therapists who are in training. - Amends TCA Title 63, Chapter 22. by *Yarbro. (*HB1849 by *Jernigan)

Senate Bill No. 1892 -- Criminal Procedure - As introduced, changes from January 15 and July 15 to January 31 and July 31 the dates by which every professional bondsman licensed to do business in Tennessee must file with the court clerk a report of the bondsman's assets and liabilities. - Amends TCA Section 40-11-303. by *Gardenhire. (*HB1917 by *Gravitt)

***Senate Bill No. 2039** -- Lottery, Scholarships and Programs - As introduced, permits a student with a documented learning disability who is unable to take 12 semester hours as required for the Tennessee Promise scholarship to be eligible for the scholarship. - Amends TCA Title 49, Chapter 4. by *Harris. (HB2505 by *Turner)

Senate Bill No. 2086 -- Alcoholic Beverages - As introduced, prohibits construction or operation of any licensed manufacturer within 1,000 feet of the state right-of-way of U.S. Highway 441 in Pigeon Forge. - Amends TCA Title 57, Chapter 2 and Title 57, Chapter 3. by *Overbey, *Ketron. (*HB2123 by *Carr)

Senate Bill No. 2089 -- Alcoholic Beverages - As introduced, authorizes the City of Gatlinburg to adopt an ordinance imposing a minimum distance, not to exceed 1,000 feet, between distilleries manufacturing distilled spirits. - Amends TCA Section 57-2-103 and Section 57-3-202. by *Overbey, *Ketron. (*HB1996 by *Carr)

***Senate Bill No. 2094** -- Alcoholic Beverages - As introduced, allows applicants for retail food store wine license to seek certificate of compliance from local government and receive approval letter from commission prior to July 1, 2016; allows wholesalers to solicit orders from retail food stores and deliver wine prior to July 1, 2016; clarifies when retail package store may deliver to customers; limits retail package store licenses to two per owner. - Amends TCA Section 57-3-406 and Section 57-3-803. by *Ketron, *Jackson, *Massey. (HB2586 by *Todd, *Sanderson)

THURSDAY, MARCH 3, 2016 – FORTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 2096 -- Alcoholic Beverages - As introduced, clarifies what items a manufacturer may use when having tastings on premises; allows manufacturers to rent a portion of their premises for events; clarifies who is permitted to handle and pour product at tastings. - Amends TCA Section 57-3-202. by *Ketron, *Yager, *Jackson, *Dickerson. (*HB1866 by *Farmer, *Lamberth)

Senate Bill No. 2118 -- Education - As introduced, requires referees or officiates of interscholastic athletic events to submit to a criminal background investigation and provide a fingerprint sample. - Amends TCA Title 49, Chapter 5, Part 4. by *Tracy. (*HB2260 by *Forgety, *Hardaway)

Senate Bill No. 2332 -- Animal Cruelty and Abuse - As introduced, specifies that animal owners may record inspections of their animals. - Amends TCA Title 39; Title 43; Title 44; Title 53 and Title 63, Chapter 12. by *Tracy, *Gresham. (*HB2189 by *Matheny, *Marsh)

Senate Bill No. 2440 -- State Employees - As introduced, prohibits a state employer from inquiring about an applicant's criminal history on an initial application form for employment under certain circumstances. - Amends TCA Title 8, Chapter 50, Part 1. by *Kyle. (*HB2442 by *Gilmore)

Senate Bill No. 2504 -- Disabled Persons - As introduced, authorizes use of individual education account funds for contributions to an achieving a better life experience (ABLE) account for the benefit of a participating student; removes requirement that eligibility for ABLE program be limited to state residents and residents of contracting states. - Amends TCA Title 49, Chapter 10, Part 14 and Title 71, Chapter 4, Part 8. by *Gresham. (*HB2592 by *Moody)

Senate Bill No. 2571 -- Courts, Juvenile - As introduced, makes various changes to the procedure for appeals from juvenile court, including stating the requirements for an interlocutory appeal of order granting or denying motion to suppress evidence in a transfer hearing. - Amends TCA Section 37-1-159. by *Norris, *Yarbro. (*HB1812 by *Lamberth)

Senate Bill No. 2572 -- Courts, Juvenile - As introduced, clarifies and amends various provisions regarding juvenile cases heard by magistrates; extends from five days to 10 days the period within which an appeal of the magistrate's order must be filed. - Amends TCA Section 36-1-102 and Section 37-1-107. by *Norris. (*HB1889 by *DeBerry)

Senate Bill No. 2573 -- Courts, Juvenile - As introduced, amends the juvenile court procedure to issue a summons in a proceeding. - Amends TCA Title 37, Chapter 1. by *Norris. (*HB1890 by *DeBerry)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2641 -- Jellico – House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 1, 2016**, reported the following:

CIVIL JUSTICE COMMITTEE

The Civil Justice Committee recommended for passage: House Bills Nos. 1531 and 1530, also House Bills Nos. 1812 and 2234 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following to the Education Administration & Planning Committee: House Bill No. 2131 with amendments.

EDUCATION ADMINISTRATION AND PLANNING COMMITTEE

The Education Administration & Planning Committee recommended for passage: House Bills Nos. 1568, 1836 and 2130, also House Bills Nos. 1696, 1680 and 2071 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2117 and 1644, also House Bills Nos. 1983, 1780 and 2260 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 2573 with amendments.

EDUCATION INSTRUCTION AND PROGRAMS COMMITTEE

The Education Instruction & Programs Committee recommended for passage: House Bill No. 1974 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1485 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 1852 with amendments.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways & Means Committee recommended for passage: House Bills Nos. 2037, 2041, 1685, 1434, 2159, 1826, 1911, 1513, 1628, 1698, 1509, 1475, 1416 and 1809, also House Bills Nos. 1478 and 779 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS COMMITTEE

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1480, 1990 and 2578. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

INSURANCE AND BANKING COMMITTEE

The Insurance and Banking Committee recommended for passage: House Bills Nos. 1955 and 1697. Under the rules, each was transmitted to the Calendar and Rules Committee.

LOCAL GOVERNMENT COMMITTEE

The Local Government Committee recommended for passage: House Bills Nos. 1971, 2619, 2624, 2155, 1632, 2587, 2632 and 2124, also House Bills Nos. 2419, 985 and 2079 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2625, 2636 and 1657, also House Bill No. 1913 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Health Committee: House Bill No. 1801 with amendments.

STATE GOVERNMENT COMMITTEE

The State Government Committee recommended for passage: House Bill No. 1870, also House Bills Nos. 2082, 1786, 2123 and 1682 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 2226, also House Bills Nos. 1996 and 2240 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Consumer and Human Resources Committee: House Bill No. 2335.

The Committee also transmitted the following to the Education Administration & Planning Committee: House Bill No. 1979.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 1866 with amendments.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bills Nos. 1683, 1759 and 2173, also House Bills Nos. 1487 and 1468 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 2022 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 2288 and 2471 with amendments.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 2, 2016**, reported the following:

AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The Agriculture and Natural Resources Committee recommended for passage: House Bills Nos. 1540 and 1941. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted the following to the Business and Utilities Committee: House Bill No. 1406 with amendments.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 1871 with amendments.

BUSINESS AND UTILITIES COMMITTEE

The Business and Utilities Committee recommended for passage: House Bill No. 1717 and House Joint Resolution No. 482 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 2339 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Government Operations Committee for review: House Bill No. 2569 with amendments.

CONSUMER AND HUMAN RESOURCES COMMITTEE

The Consumer and Human Resources Committee recommended for passage: House Bill No. 2334 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1552 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CRIMINAL JUSTICE COMMITTEE

The Criminal Justice Committee recommended for passage: House Bills Nos. 1777 and 1648 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2514 and 1694, also House Bills Nos. 1779, 1427, 1448, 2424 and 1843 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

HEALTH COMMITTEE

The Health Committee recommended for passage: House Bills Nos. 1512 and 1768 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill No. 1874, also House Bills Nos. 1550, 1849, 2014 and 2025 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Criminal Justice Committee: House Bill No. 2445 with amendments.

The Committee also transmitted the following to the Government Operations Committee for review: House Bills Nos. 2316 and 2433 with amendments.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 3, 2016**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **March 7, 2016**: House Bills Nos. 2130, 2053, 2189, 2397, 2071, 1789, 1693, 1682, 1955, 1568, 1509, 1513, 1512, 2155, 2159, 1468, 1487, 1826, 1416, 1648, 764, and 2419.

The committee also set the following bills on the **Regular Calendar** for **March 10, 2016**: House Bills Nos. 2136, 1685, 2234, 2037, 1531, 1680, 1696, 1812, 1478, 1434, 1777, 1632, 1911, 1809, 1941, 1768, 2079, and 2082.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **March 7, 2016**: House Bills Nos. 1539, 1697, 1628, 1698, 1475, House Joint Resolution No. 461, House Bill No. 1683, House Joint Resolution No. 514, House Bills Nos. 1542, 1971, 2624, 2619, 1836, 2173, and House Joint Resolution No. 480, House Bills Nos. 1576, 1580, 1584, 1597, 1603, 1614, 1615, 1621 and 1829.

CONSENT CALENDAR

House Resolution No. 175 -- Memorials, Professional Achievement - Guy Gilchrist. by *Weaver.

House Resolution No. 176 -- Memorials, Recognition - "Post-Traumatic Stress Injury Day," June 27, 2016. by *Ragan.

House Joint Resolution No. 609 -- Memorials, Recognition - Girl Scouts Gold Award Month, May 2016. by *Harwell.

House Joint Resolution No. 610 -- Memorials, Death - Helen McCulley Webb. by *Swann, *Ramsey.

House Joint Resolution No. 611 -- Memorials, Death - Robert Harrison. by *Pody.

House Joint Resolution No. 613 -- Memorials, Personal Achievement - Diana Pope, Governor's Volunteer Stars Award. by *Sargent.

House Joint Resolution No. 614 -- Memorials, Personal Achievement - Jacquelyn Crawford, recipient of the Governor's Volunteer Stars Award. by *Hicks.

House Joint Resolution No. 615 -- Memorials, Personal Achievement - Loretta Winstead, Governor's Volunteer Stars Award. by *Hicks.

House Joint Resolution No. 616 -- Memorials, Retirement - Dr. Bill Snodgrass. by *Hicks.

House Joint Resolution No. 618 -- Memorials, Recognition - George York, Andrew Jackson York, and Betsy Ross York Lowrey. by *Keisling, *Windle, *Pitts.

House Joint Resolution No. 620 -- Memorials, Public Service - Master Gardeners of Davidson County. by *Jernigan.

House Joint Resolution No. 621 -- Memorials, Recognition - John E. Burns, induction into the USSVI Holland Club. by *Jernigan.

Senate Joint Resolution No. 512 -- Memorials, Death - Noble Cody. by *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *Ramsey.

Senate Joint Resolution No. 515 -- Memorials, Death - David Greer. by *Roberts.

Senate Joint Resolution No. 516 -- Memorials, Recognition - League of Women Voters of Oak Ridge, 70th anniversary. by *McNally, *Yager.

Senate Joint Resolution No. 517 -- Memorials, Recognition - Tennessee Independent Colleges and Universities Association, 60th anniversary. by *Gresham, *Bailey, *Beavers, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Kelsey, *Ketron, *Kyle, *Massey, *McNally, *Niceley, *Norris, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *Ramsey.

Senate Joint Resolution No. 534 -- Memorials, Recognition - Mayor Stan Joyner, 2016 Collierville Chamber of Commerce Person of the Year Award. by *Norris.

OBJECTION--CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Resolution No. 175: by Rep. Weaver

Under the rules, House Resolution No. 175, was placed at the heel of the calendar for March 7, 2016.

Rep. McCormick moved that all members voting aye on House Joint Resolution No. 609 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 89 |
| Noes..... | 0 |
| Present and not voting..... | 1 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Weaver, White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 89

Representatives present and not voting were: Ragan -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **Consent Calendar** and have this statement entered in the Journal: Rep. Van Huss.

REGULAR CALENDAR

House Bill No. 2627 -- Saulsbury - As introduced, subject to local approval, reduces the number of aldermen from six to five. - Amends Chapter 336 of the Acts of 1901; as amended. by *Jenkins. (*SB2652 by *Gresham)

Rep. Jenkins moved that **House Bill No. 2627** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 92 |
| Noes..... | 0 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 1989 -- Wine & Wineries - As introduced, permits the issuance of self-distribution permits to farm wine permit holders, subject to certain conditions. - Amends TCA Section 57-3-207. by *Sanderson. (*SB1799 by *Niceley)

Rep. Sanderson moved that **House Bill No. 1989** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 75 |
| Noes..... | 7 |
| Present and not voting..... | 8 |

Representatives voting aye were: Akbari, Beck, Brooks H., Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 75

Representatives voting no were: DeBerry, Doss, Dunlap, Dunn, Hill M., Moody, Zachary -- 7

Representatives present and not voting were: Alexander, Butt, Byrd, Holt, Pody, Powers, Smith, Sparks -- 8

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 1989** and have this statement entered in the Journal: Rep. Lollar.

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 529** -- General Assembly, Statement of Intent or Position - Expresses disagreement with the U.S. supreme court's decision in *Obergefell v. Hodges*. by *Lynn, *Carter, *Sargent, *Brooks K, *Howell, *Alexander, *Keisling, *Rogers, *Zachary, *Butt, *Moody, *Byrd, *Williams, *Travis, *Van Huss, *Smith, *Durham, *Lollar, *Jenkins, *Halford, *Sexton J, *Weaver, *Womick, *Casada, *Brooks H, *Eldridge.

Rep. Lynn moved adoption of House Joint Resolution No. 529.

Rep. Lundberg requested that Civil Justice Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Lynn moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Joint Resolution No. 529 By deleting all language after the caption and substituting instead the following:

WHEREAS, on June 26, 2015, the United States Supreme Court, by a five to four decision in *Obergefell v. Hodges*, 576 U.S. ____ (No. 14-556, 2015 WL 2473451 (June 26, 2015)), said "state laws ... are ... held invalid to the extent they exclude same-sex couples from civil marriage on the same terms and conditions as opposite-sex couples"; and

WHEREAS, the express statutory requirement in Tennessee Code Annotated, Section 36-3-104(a), that the applicants for a marriage license be a "male and female" and that there be a valid license "before" a marriage can be solemnized would appear to "exclude same-sex couples from civil marriage on the same terms and conditions as opposite-sex couples"; and

WHEREAS, as to the constitutional appropriateness of simply deleting the words "male and female" from Tennessee Code Annotated, Section 36-3-104(a), the Tennessee Supreme Court, in *State of Tennessee v. Crank*, No. E2012-01189-SC-R11-CD, filed February 13, 2015, said even the "legislative endorsement of elision 'does not automatically make it applicable to every situation; however, when a conclusion can be reached that the legislature would have enacted the act in question with the unconstitutional portion omitted, then elision of the unconstitutional portion is appropriate.' (internal citations omitted)"; and

WHEREAS, given the history of the marriage laws of Tennessee, this General

Assembly, some members of which voted for Tennessee Code Annotated, Section 36-3-104(a), believes that Tennessee Code Annotated, Section 36-3-104(a), would never have been enacted had the words "male and female" been deleted so as to allow two people of the same sex to marry; and

WHEREAS, the majority in *Obergefell* ordered the state to issue marriage licenses notwithstanding its holding that state marriage license laws that "exclude same-sex couples from civil marriage" are "invalid"; and

WHEREAS, this particular aspect of its ruling raises the broader and even more important constitutional issue of which branch of government in our constitutional republic can enact or amend state laws; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED NINTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that this body expresses its strong disagreement with the constitutional overreach in *Obergefell v. Hodges* that, in violation of the constitutional and judicially recognized principles of federalism and separation of powers, purports to allow federal courts to order or direct a state legislative body to affirmatively amend or replace a state statute.

BE IT FURTHER RESOLVED, this body concurs in the opinion of Chief Justice John Roberts, who in his dissent in *Obergefell v. Hodges*, said, "the Court's accumulation of power does not occur in a vacuum. It comes at the expense of the people. And they know it," and acknowledges the reminder of Justice Antonin Scalia in his dissenting opinion in *Obergefell v. Hodges* that "With each decision of ours that takes from the People a question properly left to them—with each decision that is unabashedly based not on law, but on the reasoned judgment of a bare majority of this Court—we move one step closer to being reminded of our impotence."

On motion, House Amendment No. 2 was adopted.

Rep. Fitzhugh moved adoption of House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Joint Resolution No. 529 by inserting immediately after the final RESOLVING clause the following language:

BE IT FURTHER RESOLVED, that since this legislation approves of the lawsuits against local governments, the State of Tennessee shall bear all legal costs for local governments to defend themselves.

THURSDAY, MARCH 3, 2016 – FORTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Dunn moved the previous question on House Amendment No. 3 , which motion prevailed by the following vote:

Ayes 69
Noes..... 14

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Clemmons, Coley, Daniel, Doss, Dunn, Durham, Eldridge, Faison, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jenkins, Jernigan, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powell, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Madam Speaker Harwell -- 69

Representatives voting no were: Akbari, Beck, Camper, DeBerry, Favors, Hardaway, Hulsey, Love, Marsh, Miller, Mitchell, Shaw, Shepard, Turner -- 14

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the previous question on Amendment No. 3 to **House Joint Resolution No. 529** and have this statement entered in the Journal: Rep. Clemmons.

REGULAR CALENDAR, CONTINUED

On motion, House Amendment No. 3 failed by the following vote:

Ayes 19
Noes..... 71

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Hulsey, Jernigan, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Stewart, Turner -- 19

Representatives voting no were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shepard, Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 71

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on Amendment No. 3 of **House Joint Resolution No. 529** and have this statement entered in the Journal: Rep. Hulsey.

REGULAR CALENDAR, CONTINUED

Rep. Lundberg moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Butt moved the previous question, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 66 |
| Noes..... | 22 |
| Present and not voting..... | 1 |

Representatives voting aye were: Alexander, Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, Doss, Dunlap, Durham, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Smith, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 66

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, DeBerry, Dunn, Favors, Fitzhugh, Gilmore, Hardaway, Holt, Jernigan, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Stewart, Turner -- 22

Representatives present and not voting were: Shepard -- 1

Rep. Lynn moved adoption of **House Joint Resolution No. 529**, as amended, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 73 |
| Noes..... | 18 |
| Present and not voting..... | 1 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Moody, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 73

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Stewart, Turner -- 18

Representatives present and not voting were: Shepard -- 1

A motion to reconsider was tabled.

House Bill No. 2148 -- Students - As introduced, requires LEAs to provide students with certain periods of physical activity depending on grade level; deletes an obsolete reporting requirement. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. by *Ragan. (*SB1983 by *Bowling)

Rep. Ragan moved that House Bill No. 2148 be passed on third and final consideration.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2148 by deleting in Section 1(a)(2) the word "grade" and substituting instead the word "six".

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. Ragan moved that **House Bill No. 2148**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 87

Representatives voting no were: Forgety, Shaw -- 2

A motion to reconsider was tabled.

***House Bill No. 1443** -- Motor Vehicles - As introduced, reduces, from 60 days to 14 days, the maximum period of time in which a person engaged in towing and storing motor vehicles may charge the vehicle's owner or lienholder a storage fee. - Amends TCA Title 47 and Title 55, Chapter 23. by *Pody. (SB1476 by *Beavers)

Rep. Pody moved that House Bill No. 1443 be passed on third and final consideration.

Rep. Rogers requested that Transportation Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Pody moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1443 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-23-103, is amended by deleting the language “shall not charge the owner or lienholder of any such motor vehicle a storage fee for a period exceeding sixty (60) days” and substituting instead the language “shall not charge the owner or lienholder of any stored motor vehicle a storage fee for a period exceeding twenty-one (21) days”.

SECTION 2. Tennessee Code Annotated, Section 55-23-104, is amended by deleting the language “sixty (60) days” wherever it appears and substituting instead the language “twenty-one (21) days”.

SECTION 3. Tennessee Code Annotated, Section 55-23-104, is further amended by deleting the last sentence, which presently reads:

This notice shall be given at least fourteen (14) days prior to the imposition of any additional storage fee.

and by substituting instead the following new sentence:

This notice shall be given at least ten (10) days prior to the imposition of any additional storage fee.

SECTION 4. Tennessee Code Annotated, Section 55-23-105, is amended by deleting the section in its entirety.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to vehicles initially taken into storage on or after such date.

On motion, House Amendment No. 2 was adopted.

Rep. Rogers moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Pody moved that **House Bill No. 1443**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 87

Representatives voting no were: Dunlap -- 1

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Matlock; personal

REGULAR CALENDAR, CONTINUED

***House Bill No. 1472** -- Wills - As introduced, clarifies that witness signatures affixed to a self-proving affidavit written on a will are to be considered signatures to the will if necessary to prove the will's execution. - Amends TCA Title 32. by *Lamberth, *Marsh. (SB1560 by *Haile, *Bowling)

Rep. Lamberth moved that House Bill No. 1472 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1472 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 32-1-104, is amended by designating existing language as subsection (a) and adding the following as a new subsection (b):

(b) For any will executed before July 1, 2016, if the witness signatures are only on a self-proving affidavit incorporated in a will on which the testator's signature is on the actual will in accordance with subsection (a), the witness signatures shall be considered signatures to the will if necessary to prove the will's execution; provided, that the language of the self-proving affidavit contains all the elements of a will attestation clause and the witness signatures meet the requirements of subsection (a).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to wills executed prior to July 1, 2016, if the will has not undergone final settlement without appeal or final settlement after conclusion of appeal.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Lamberth moved that **House Bill No. 1472**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Holt voted "aye" on **House Bill No. 1472**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1679** -- Attorneys at Law - As introduced, requires that attorneys' fees be awarded for state government employees when such employees are sued in individual capacity and are the prevailing party. - Amends TCA Title 29, Chapter 20. by *Lamberth. (SB2377 by *Bell)

Rep. Lamberth moved that House Bill No. 1679 be passed on third and final consideration.

Rep. Lundberg moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1679 by deleting subdivisions (b)(2) and (b)(3) of SECTION 1 and substituting instead the following:

(2) The claim of individual liability is dismissed with or without prejudice after forty-five (45) days have elapsed after an answer or other responsive pleading is filed in which the employee asserts the employee was not acting within the employee's individual capacity at the time of the matters stated in the complaint.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Casada moved the previous question, which motion failed by the following vote:

Ayes 48
Noes..... 37

Representatives voting aye were: Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, Doss, Durham, Eldridge, Forgety, Gravitt, Halford, Hawk, Hazlewood, Hill T., Holsclaw, Howell, Jenkins, Johnson, Keisling, Kumar, Lamberth, Littleton, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Sargent, Sparks, Spivey, Terry, Todd, Travis, White D., White M., Zachary -- 48

Representatives voting no were: Akbari, Alexander, Beck, Camper, Clemmons, Cooper, DeBerry, Dunlap, Dunn, Faison, Favors, Fitzhugh, Gilmore, Goins, Hardaway, Hicks, Holt, Hulsey, Jernigan, Lollar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Sexton C., Shaw, Shepard, Smith, Stewart, Swann, Turner, Van Huss, Weaver, Windle -- 37

After further discussion, Rep. Lundberg moved the previous question, which motion prevailed.

Rep. Lamberth moved that **House Bill No. 1679**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 69
Noes..... 16
Present and not voting..... 2

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Williams, Wirgau, Zachary -- 69

THURSDAY, MARCH 3, 2016 – FORTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting no were: Clemmons, Dunlap, Favors, Fitzhugh, Hardaway, Jernigan, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Stewart, Turner, Windle, Madam Speaker Harwell -- 16

Representatives present and not voting were: Akbari, Cooper -- 2

A motion to reconsider was tabled.

***House Bill No. 1479** -- Criminal Procedure - As introduced, specifies that in criminal cases a person designated by counsel for a party that is not a natural person and who is not excluded from courtroom by rules of evidence is not required to be called as first witness if court finds no prejudice to result. - Amends TCA Title 39 and Title 40. by *Lamberth. (SB1558 by *Bell)

Rep. Lamberth moved that **House Bill No. 1479** be reset for the Regular Calendar on March 24, 2016, which motion prevailed.

***House Bill No. 2055** -- Public Utilities - As introduced, extends the terms, conditions, obligations, and rights of a privilege or franchise for the provision of natural gas service furnished to certain municipalities, and in those municipalities, until approval of a subsequent privilege or franchise. - Amends TCA Title 6 and Title 65. by *Marsh, *Swann, *Wirgau. (SB1988 by *Ketron)

Rep. Marsh moved that **House Bill No. 2055** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 85 |
| Noes..... | 1 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 85

Representatives voting no were: Daniel -- 1

A motion to reconsider was tabled.

House Bill No. 1919 -- Pensions and Retirement Benefits - As introduced, requires certain employees participating in TCRS to have a vesting percentage of 100 percent in retirement benefits upon attaining retirement age or completing certain years of service; revises other various provisions governing public employee benefits. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36 and Title 8, Chapter 37. by *Sargent, *Sanderson. (*SB1779 by *McNally)

On motion, House Bill No. 1919 was made to conform with **Senate Bill No. 1779**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that **Senate Bill No. 1779** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 91 |
| Noes..... | 0 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

House Bill No. 1920 -- Pensions and Retirement Benefits - As introduced, revises various provisions governing TCRS including clarifying that the transfer of funds from the stabilization reserve trust account is not a maximum unfunded liability cost and revising provisions concerning TCRS investments. - Amends TCA Section 3-9-103; Title 8, Chapter 25; Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37 and Section 26-2-105. by *Sargent, *Sanderson. (*SB1869 by *McNally, *Gardenhire, *Watson)

Rep. Sargent moved that **House Bill No. 1920** be reset for the Regular Calendar on March 10, 2016, which motion prevailed.

***House Bill No. 1438** -- Military - As introduced, enacts the "National Guard Force Protection Act of 2016," which requires certain security enhancements at national guard facilities. - Amends TCA Title 4; Title 9 and Title 58. by *Sargent, *Ragan, *Harwell, *Pitts, *Windle, *Favors, *Goins, *Sexton J, *Shepard, *Holsclaw, *Lollar, *Hawk, *Beck, *Miller, *Daniel, *Towns, *Alexander, *Jones, *Van Huss, *Johnson, *Sexton C, *Zachary, *Hill T, *Brooks H, *Brooks K, *Parkinson, *Powers, *White M, *Smith, *Hulsey, *Weaver, *Sanderson, *Lamberth, *Howell, *Forgety, *Casada, *Dunn, *Todd, *Hardaway, *Holt, *Camper, *Kane, *Hicks, *White D, *Lundberg, *Moody, *Stewart, *Halford, *Akbari, *McDaniel, *Marsh, *Jenkins, *Swann, *Butt, *Faison, *Carr, *Mitchell, *Fitzhugh, *Spivey, *Jernigan, *Byrd, *Calfee, *Williams, *Reedy, *Doss, *Hill M, *Farmer, *Carter, *McCormick, *Littleton, *Powell, *Rogers, *Eldridge. (SB1553 by *Johnson, *Yarbro, *Yager)

Rep. Sargent moved that House Bill No. 1438 be passed on third and final consideration.

Rep. Littleton moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1438 by deleting SECTION 2 in its entirety and by substituting instead the following:

SECTION 2. The department of military shall, at the discretion of the adjutant general, implement the following force protection enhancements at national guard facilities not to exceed the quantities listed for each item:

| | |
|-------------------------------------|-----|
| Aiphone | 105 |
| Aiphone (second station) | 18 |
| Shatter resistant film | 612 |
| Cameras | 134 |
| Magnetic locks with keypads | 97 |
| Mobile ballistic shields | 14 |
| Barriers (permanent bollard) | 450 |
| Barriers (automatic bollard) | 42 |
| Barriers (manual removable bollard) | 58 |
| Barriers (decorative) | 14 |
| Clearing barrels | 132 |
| GSA class 5 safe | 7 |

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1438 by deleting SECTION 2 in its entirety and substituting instead the following:

SECTION 2. The department of military may implement the following force protection enhancements at national guard facilities:

- (1) Aiphones;
- (2) Shatter resistant films;
- (3) Cameras;
- (4) Magnetic locks with keypads;
- (5) Mobile ballistic shields;
- (6) Barriers, including:
 - (A) Permanent bollards;
 - (B) Automatic bollards;
 - (C) Manual removable bollards; and
 - (D) Decorative barriers;
- (7) Privacy screens; and
- (8) Any other force protection enhancement deemed necessary by the department.

On motion, Amendment No. 2 was adopted.

Rep. Sargent moved that **House Bill No. 1438**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 1520** -- Hospitals and Health Care Facilities - As introduced, permits certain existing nursing home facilities to apply for a certificate of need to relocate nursing home beds to two different sites within the same county. - Amends TCA Title 68, Chapter 11. by *Lundberg. (SB1579 by *Briggs, *Massey)

On motion, House Bill No. 1520 was made to conform with **Senate Bill No. 1579**; the Senate Bill was substituted for the House Bill.

Rep. Lundberg moved that **Senate Bill No. 1579** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 88

A motion to reconsider was tabled.

***House Bill No. 1546** -- Banks and Financial Institutions - As introduced, prohibits the commissioner of financial institutions from using a multi-state licensing system to share FBI criminal history background information of anyone other than mortgage loan originators, unless otherwise authorized by federal law. - Amends TCA Title 45, Chapter 5 and Title 45, Chapter 13. by *McCormick, *Brooks K, *Lundberg. (SB2549 by *Norris, *Johnson)

Rep. Lundberg moved that **House Bill No. 1546** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 89

A motion to reconsider was tabled.

***House Bill No. 1544** -- Computers and Electronic Processing - As introduced, authorizes the department of finance and administration to manage online payments to state government; authorizes the charging of additional fees to cover the cost of accepting online payments; clarifies that an online payment through the state portal does not discharge an obligation to the state until the state receives actual final payment. - Amends TCA Title 4, Chapter 3, Part 10. by *McCormick, *Brooks K, *Wirgau. (SB2547 by *Norris, *Ketron)

Rep. Wirgau moved that **House Bill No. 1544** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes..... 3

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Wirgau, Zachary, Madam Speaker Harwell -- 85

Representatives voting no were: Dunlap, Hardaway, Windle -- 3

A motion to reconsider was tabled.

***House Bill No. 2002** -- Local Government, General - As introduced, prohibits a local government, as a condition of doing business within the jurisdictional boundaries of the local government or contracting with the local government, from prohibiting a private employer from requesting certain information on an application for employment or during the process of hiring a new employee. - Amends TCA Section 7-51-1802. by *Matlock, *Casada, *Sexton J, *Lamberth. (SB2103 by *Johnson, *Bowling)

On motion, House Bill No. 2002 was made to conform with **Senate Bill No. 2103**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 2103 be passed on third and final consideration.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 2103** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 68 |
| Noes..... | 20 |

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Smith, Sparks, Swann, Terry, Todd, Travis, Van Huss, Weaver, White D., White M., Wirgau, Zachary, Madam Speaker Harwell -- 68

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Love, Miller, Mitchell, Pitts, Powell, Shaw, Shepard, Spivey, Stewart, Windle -- 20

A motion to reconsider was tabled.

***House Bill No. 155** -- Education - As introduced, requires the state board of education to develop a system to grade schools based on student achievement; requires the department of education to include the school grades on the state report card. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5 and Title 49, Chapter 6. by *Casada, *Akbari. (SB300 by *Gresham, *Kelsey, *Bowling)

On motion, House Bill No. 155 was made to conform with **Senate Bill No. 300**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that Senate Bill No. 300 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 300 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following as a new section:

(a) The department of education shall develop a school grading system that annually assigns A, B, C, D, and F letter grades to schools based on:

(1) Student performance on the Tennessee comprehensive assessment program (TCAP) tests or end-of-course exams;

(2) Student growth as indicated by Tennessee Value-Added Assessment System (TVAAS) data or data from other measures of student growth; and

(3) Other outcome indicators of student achievement that the department finds to be reliable measures of school performance.

(b) The department of education shall include each school's A, B, C, D, or F grade on the state report card.

(c) Implementation of the school grading system shall begin in the 2017-2018 school year; however, prior to implementation, the state board shall review the grading scale developed by the department.

(d) The department shall provide notice of the adopted grading scale to each LEA prior to the start of the 2017-2018 school year.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Casada moved that **Senate Bill No. 300**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 73 |
| Noes..... | 14 |
| Present and not voting..... | 1 |

Representatives voting aye were: Akbari, Alexander, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Coley, Cooper, Daniel, DeBerry, Doss, Dunn, Durham, Eldridge, Faison, Forgety, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Johnson, Kane, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Moody, Pody, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Smith, Sparks, Spivey, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 73

Representatives voting no were: Beck, Clemmons, Dunlap, Favors, Fitzhugh, Hardaway, Jernigan, Keisling, Mitchell, Pitts, Powell, Shaw, Shepard, Stewart -- 14

Representatives present and not voting were: Camper -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 300** and have this statement entered in the Journal: Rep. Turner.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1537** -- Education - As introduced, permits parents and teachers access to their students' questions and answers on state-required summative assessments; requires LEAs to communicate to stakeholders the purpose of locally required standardized assessments and how the local assessments differ from required state assessments; eliminates two state-required examinations, one in the eighth grade and one in the tenth grade; makes other changes with respect to student assessment. - Amends TCA Title 49, Chapter 6, Part 60. by *McCormick, *Brooks K, *Brooks H, *White M, *Forgety, *Kane, *Moody, *Matlock, *Coley, *Byrd, *Lamberth, *Butt, *Towns, *Pitts, *Dunn, *Love, *Sexton J. (SB2540 by *Norris, *Haile)

Rep. K. Brooks moved that House Bill No. 1537 be passed on third and final consideration.

Rep. Pody moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. K. Brooks moved that **House Bill No. 1537** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 90 |
| Noes..... | 0 |
| Present and not voting..... | 1 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 90

Representatives present and not voting were: Holt -- 1

A motion to reconsider was tabled.

***House Bill No. 1642** -- Lottery, Scholarships and Programs - As introduced, encourages public school teachers to be Promise scholarship mentors by crediting them with one day of in-service for volunteering as mentors; encourages retired teachers to be Promise scholarship mentors by granting them one year of eligibility for the state employee discount program for volunteering as mentors. - Amends TCA Title 4; Title 11 and Title 49. by *Forgety, *Hardaway. (SB1654 by *Tracy)

Rep. Forgety moved that House Bill No. 1642 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1642 by deleting subdivision (2) in the amendatory language of Section 1 and substituting instead:

(2)

(A) To encourage retired teachers to volunteer to be mentors in the Tennessee Promise scholarship program, participation in the Tennessee state employee discount program, except for the tuition waivers granted to state employees under § 8-50-114 and tuition discounts granted to children of state employees under § 8-50-115, shall be granted to retired teachers who become mentors and complete all required mentorship tasks.

(B) Retired teachers who mentor Promise recipients shall be eligible for the Tennessee state employee discount program, as provided in subdivision (2)(A), for one (1) year following the completion of all required mentorship tasks for an academic year.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Forgety moved that **House Bill No. 1642**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|-----------------------------|----|
| Ayes | 86 |
| Noes..... | 0 |
| Present and not voting..... | 1 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lundberg, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 86

Representatives present and not voting were: Holt -- 1

A motion to reconsider was tabled.

***House Bill No. 2078** -- Criminal Procedure - As introduced, authorizes general sessions and criminal court judges in Knox County to suspend court costs and litigation tax for indigent defendants; authorizes criminal court clerk to implement community service program in lieu of full payment of court costs and litigation taxes for indigent defendants. - Amends TCA Section 8-21-401; Title 40, Chapter 25 and Title 67, Chapter 4, Part 6. by *Dunn. (SB2032 by *Briggs, *Massey)

Rep. Dunn moved that **House Bill No. 2078** be reset for the Regular Calendar on March 10, 2016, which motion prevailed.

***House Bill No. 1521** -- Legal Services, Office of - As introduced, revises functions of the office of legal services including duties pertaining to the code commission and duties of the revisor of statutes within the office of legal services. - Amends TCA Section 1-1-101; Section 1-1-102 and Section 3-12-109. by *Casada. (SB1622 by *Johnson)

Further consideration of House Bill No. 1521, previously considered on the Consent Calendar for February 29, 2016, at which time it was objected to and reset for today's Calendar.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative McCormick

REGULAR CALENDAR, CONTINUED

On motion, House Bill No. 1521 was made to conform with **Senate Bill No. 1622**; the Senate Bill was substituted for the House Bill.

Rep. Casada moved that **Senate Bill No. 1622** be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|------------|----|
| Ayes | 90 |
| Noes..... | 0 |

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody,

2836

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Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

***House Bill No. 2197** -- Solid Waste Disposal - As introduced, requires the commissioner of environment and conservation to conduct a study to define the processing of organic waste and incorporate the findings and recommendations into the state's comprehensive solid waste management plan. - Amends TCA Title 68, Chapter 211. by *Gilmore. (SB2225 by *Southerland)

Further consideration of House Bill No. 2197, previously considered on the Consent Calendar for February 29, 2016, at which time it was objected to and reset for today's Calendar.

Rep. Gilmore moved that **House Bill No. 2197** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 87

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. K. Brooks moved that the rules be suspended in order to allow **House Bill No. 1797** to be heard in the State Government Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. K. Brooks moved that the rules be suspended in order to allow **House Bills Nos. 1861** and **2212** to be heard in the Consumer and Human Resources Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. K. Brooks moved that the rules be suspended in order to allow **House Bill No. 2488** to be heard in the Education Instruction & Programs Subcommittee next week, which motion prevailed.

MOTION TO RECONSIDER

House Resolution No. 164 -- Memorials, Retirement - Judge Walter F. Williams. by *Favors.

Rep. Favors moved to lift from the table the motion to reconsider action in passing House Resolution No. 164, which motion prevailed.

Rep. Favors moved to reconsider action in passing House Resolution No. 164, which motion prevailed.

Rep. Favors moved that all members voting aye on House Resolution No. 164 be added as co-prime sponsors with Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody, Ragan and Womick.

On motion of Rep. Favors, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Gravitt moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 550 out of order, which motion prevailed.

Senate Joint Resolution No. 550 -- Memorials, Recognition - Bob McKamey. by *Gardenhire, *Watson.

On motion of Rep. Gravitt, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Williams moved that the rules be suspended in order to allow **House Bill No. 1656** to be heard in the Health Subcommittee next week, which motion prevailed.

RULES SUSPENDED

Rep. C. Sexton moved that the rules be suspended in order to allow **House Bill No. 1906** to be heard in the Health Committee next week, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 514 Rep. C. Sexton as prime sponsor.

House Bill No. 207 Rep. Jernigan as First prime sponsor.

House Bill No. 207 Rep. Rogers as Second prime sponsor.

House Bill No. 207 Rep. Windle as prime sponsor.

House Bill No. 524 Reps. Williams as First prime sponsors.

House Bill No. 1206 Reps. Littleton, K. Brooks, Howell and Sargent as prime sponsors.

House Bill No. 1487 Rep. C. Sexton as prime sponsor.

House Bill No. 1513 Reps. C. Sexton and Wirgau as prime sponsors.

House Bill No. 1632 Rep. C. Sexton as prime sponsor.

House Bill No. 1697 Rep. C. Sexton as prime sponsor.

House Bill No. 2078 Rep. Daniel as prime sponsor.

House Bill No. 2174 Reps. Littleton and Jernigan as prime sponsors.

House Bill No. 2210 Rep. Jernigan as prime sponsor.

House Bill No. 2226 Rep. Jernigan as prime sponsor.

House Bill No. 2307 Rep. Carter as prime sponsor.

House Bill No. 2372 Rep. Jernigan as prime sponsor.

House Bill No. 2419 Rep. Wirgau as prime sponsor.

House Bill No. 2427 Rep. Howell as prime sponsor.

House Bill No. 2563 Rep. Sanderson as prime sponsor.

House Bill No. 2594 Reps. Lamberth and Eldridge as prime sponsors.

**SIGNED
March 3, 2016**

The Speaker announced that she had signed the following: House Bill No. 2129.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 3, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2129; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 3, 2016**

The Speaker announced that she had signed the following: House Bills Nos. 1467, 1474, 1489, 1528, 1774 and 2441.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 3, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 164 and 176; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
March 3, 2016**

The Speaker announced that she had signed the following: House Resolutions Nos. 164 and 176.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 3, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 534; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 3, 2016**

The Speaker announced that she had signed the following: Senate Joint Resolution No. 534.

JOE MCCORD, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 3, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 2129; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
March 3, 2016**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 1438, 1443, 1472, 1537, 1544, 1546, 1642, 1679, 1989, 2055, 2148, 2197 and 2627; also House Joint Resolutions Nos. 529, 609, 610, 611, 613, 614, 615, 616, 618, 620 and 621.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 3, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 1689; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 3, 2016**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1467, 1474, 1489, 1528, 1774 and 2441; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 3, 2016**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 512, 515, 516 and 517; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 3, 2016**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 512, 515, 516 and 517.

JOE MCCORD, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
March 3, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1467, 1474, 1489, 1528, 1774 and 2441; for his action.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS
March 3, 2016**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 782 and 2494; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 87

Representatives present were Akbari, Alexander, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Favors, Forgety, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jenkins, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Travis, Turner, Van Huss, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 87

RECESS

On motion of Rep. K. Brooks, the House stood in recess until 5:00 p.m., Monday, March 7, 2016.